

Minutes

Montana State Parks & Recreation Board

Montana Wild Education Center- 2668 Broadwater Ave., Helena MT April 9, 2014

Parks Board Members Present: Tom Towe, Chair; Diane Conradi; Jeff Welch; Mary Sexton; Doug Smith; Jeff Hagener

Fish, Wildlife & Parks Staff Present: Jeff Hagener, Director; Chas Van Genderen, State Parks Administrator; State Parks Staff, and Charlie Sperry, Fisheries

Guests: April 9, 2014- See Parks file folder for sign-in sheet

Topics of Discussion:

- 1. Call to Order Pledge of Allegiance
- 2. Approval of Minutes of February Board Meeting
- 3. Approval of Board Expenses
- 4. Board Members Report
- 5. Director's Report
- 6. Public Comment Not on Agenda
- 7. Strategic Plan Process Update
- 8. Park Fees
- 9. Commercial use Administrative rules

1. Call to Order - Pledge of Allegiance

Chairman Tom Towe called the meeting to order at 12:30pm and led the Pledge of Allegiance.

2. Approval of the Park Boards Meeting Minutes of February 26, 2014

Action: Chairman Towe moved and Member Welch seconded the motion to approve the February 26, 2014 minutes. Motion carried.

3. Approval of Parks Board Expenses

Action: Chairman Towe moved and Member Conradi seconded the motion to approve the Parks Board expenses. Motion Carried.

4. Board Member Reports – tours, conversations, questions, etc

Chairman Towe reported he visited the Natural Bridge Caverns north of San Antonio Texas. Largest privately own caverns in the state of Texas; developed and still owned by the landowner. Visited Kartchner Caverns State Park in Benson, Arizona; caves found in the late 1970's. Developed with a large appropriation from legislature, received \$36 million dollars; spent \$1.2 million to purchase the land, 97% percent of the money used to develop the park, less the 3% used for purchase of the land. Montana does not have the development money. State Parks have tremendous potential, but have a lot of development to do.

Vice-Chairwoman Sexton reported she attended the Bi-Annual Parks Banquet and Awards Ceremony; very deserving people received awards, enthusiasm from the staff was exceptional.

Member Conradi reported she attended the Bi-Annual Parks Banquet and Awards Ceremony; included a beautiful Monte Dolack painting, celebrating the 75th Anniversary of State Parks, a depiction of the Smith River Canyon. Sat on panel with Vice Chairwoman Sexton and Senator Jon Sesso; discussed upcoming issues, challenges, and solutions to help with the capital back log; look for ways to make sure parks have what they need to provide quality experience Montanan's expect from State Parks. Met with Missoula County Commissioners to discuss access into Milltown State Park. Visited Travelers Rest met with the non-profit Travelers Rest Preservation Heritage Association (TRPHA) and State Park staff; unique relationship and work closely together. TRPHA helps out with fundraising, administration, works with public education, and exhibits; allows park staff to maintain park and offer educational programs. Visited Fort Owen, historic site and asset mostly surrounded by private land; difficult managing situation with the private land owner. Visited The Daly Mansion and the summer cabin of Marcus Daly. Hamilton community took the mansion from ruins to majesty; discussed ways to recognize the hard work of the Community, and if there are ways to partner with the Daly Mansion.

Member Smith reported he met with Region 6 Supervisor, Tom Flowers and Woody Baxter, suggested getting on June agenda in Glendive. Manned a tourism booth in Williston, North Dakota at a Sports and Recreation Show; booth located across from the North Dakota State Parks. They have 11 parks and similar number of heritage sites; also receive very limited funding. A participant at the show gave great credit to Montana State Parks App. Heading to Hamilton for the Archeological Historical Society meeting; Sara Scott will be the key note speaker.

Member Welch reported he was voted onto the Board for Sustainable Travel International, an organization that supports destinations; private businesses improve and adopt there sustainability practices, should have crossover between two boards. Some movement with the Voices of Montana Tourism Board related to funding and trying to secure part of the 3% bed tax; discussed at the last meeting. Additional funding will be used for tourism promotion and some for tourism

partners such as State Parks, Heritage Organizations and Historical Society; meeting next week with partners to discuss further.

Chairman Towe and Vice Chairwoman Sexton both visited with Budget Director, Dan Villa about State Parks funding.

Chairman Towe welcomed, Director of Commerce Meg O'Leary.

5. Director's/Staff Report

Director Hagener reported he attended the Bi-Annual Parks Division Meeting. Parks are moving into the busy season, cleaning up from winter and getting ready for the tourism. Third managers training completed; finishing up all seasonal hires. Talked with Budget Director, Dan Villa regarding Parks funding requests; several discussions before it is officially put in the budget; requests look good. Have questions for later discussion about proposing a moratorium. Having informal discussion with Fish and Wildlife Commission this afternoon. Smith River Advisory Council applications are due the end of next week.

Chas Van Genderen, Parks Administrator explained about finalizing division policy on staffing visitor centers; handled as a division issue; limited staff and resources may have to limit visitor center hours; limited impact on customers this summer. In future need to discuss prioritization and more to follow-up on staffing policy. Continued conversation with Missoula County and Department of Environmental Quality (DEQ) about Milltown; several follow up conversations since Board Member Conradi visited with them; hope we can address access at Milltown in near future. Receiving bids on a variety of projects; as bids come forward will keep Board apprised; some inconveniences may be felt throughout the summer because visitors visit the parks the same time major maintenance is being done. Parks recently received \$25,000 donation from Subway to help with State Parks commercial; this week Subway offered Parks another \$2,500 to purchase a banner on the Parks mobile app. Thirty percent of \$2,500 will go back to Our Montana, the sponsor who helped build that app; money will then come back into State Parks. Example of how the unique partnership with Our Montana can begin to develop a revenue stream for the State Parks system.

Van Genderen presentation of an Award, Parks Advocate of the Year Award: Russ Enhes

Russ Enhes, Off Highway Vehicle (OHV) Advisory Committee Chairman and National Off Highway Vehicle Conservation Council (NOHVCC) President, appreciate the recognition; helped correct legislation to create OHV Program. Important program for all Public Lands, Forest Service, and BLM trails. OHV program and Relational Trails Program (RTP) program important for sustainability of trails, environment, and economic sustainability of small communities.

6. Public Comment Not On Agenda

No Comment

7. Strategic Plan Process Update:

Chas Van Genderen, Parks Administrator explained Parks Division is moving forward with an updated Strategic Plan. The document created by the Parks Board and Mr. Mike Bento is the work plan for next 12-15 months; a frame work for strategic planning process includes goals and objectives. Updating the 1998 Strategic Plan through public involvement processes, employee input, and Board consideration; process is expected to be concluded before the Legislative session begins. The Division proposes to include the public in the process through: Focus group meetings in 8 locations around the state; stakeholder interviews with key stakeholder groups; public comment period that allows all Montana citizens to consider draft direction. Public comment will be provided to the Board at the draft and final plan stage. The Focus group will ask a series of questions to help Parks understand: what is the desire of Montanan's in addressing the key challenges; what makes a State park significant; what services are needed for the future; what is the role of state parks in the tourism industry; how do we sustain funding and public investment. The focus group will finish with a discussion focused on the pillar issues: sustainable funding, strategic partnerships, and engaged constituents.

Chairman Towe asked if a Board Member could attend the meetings in April? Board members agreed they will attend at the following location:

Chairman Towe: Billings/ try for Glasgow Vice-Chairwoman Sexton: Great Falls/ Helena Member Conradi: Kalispell/ try for Missoula Member Welch: cannot attend Whitehall Member Smith: Glasgow/Glendive

Chairman Towe asked if the Board should formally adopt the report Mr. Bento made for State Parks.

Van Genderen stated it is the Board's discretion to adopt Mr. Bento's body of work.

Chairman Towe asked for comments or correction on draft. No Comments or corrections.

Chairman Towe would like focus group's to address what is a definition of a park and what should a park system look like in 20 years.

Chairman Towe, Vice-Chairwoman Sexton, Member Conradi, Member Welch, Director Hagener, and Van Genderen had a lengthy discussion to clarify the process of the Strategic Plan.

Member Conradi stated it is important to have core concept of what is and is not a park; focusing on core concepts will help prioritize for the public; outreach groups; for creating strategic partnership; and legislature. Helps make a case for what parks are, and what the system is; a better understanding for larger relationship with public land management agencies and partnership with non-profits.

Action: Chairman Towe moved and Member Welch seconded that the Parks Board adopt the report created by Mr. Mike Benito as the work product and an indication of the board future direction, subject to modification and improvement as we proceed in the process of developing a strategic plan. Action on Motion: Motion Carried.

8. Park Fees – Informational

Roger Semler, Chief of Operations reported state statute 23-1-105 allows for park user fees to be set by the State Park and Recreation Board. This is also true for the Smith River fees as well under MCA 23-2-408. The biennial rules approved in 2012 by the Fish and Wildlife Commission expire at the end of 2014 and the Division must begin the process of re-evaluating the fees so the board can consider them comprehensively.

The Montana State Parks Biennial Fee Rule establishes specific fees for non-commercial use of state parks; camping, non-resident day use/entry, non-resident annual passports, guided tours, and special uses such as group use and facility rental. The Smith River State Park and River Corridor Biennial Fee Rule establishes user fees for Smith River State Park and River Corridor and for public, commercial outfitter and landowner river floating.

The Parks Division is currently in the process of reviewing park user fees through the following actions: an analysis of user fees established for state and federal public lands in neighboring and regional states; an analysis of camping and other user fees charged by non-government commercial enterprises in Montana and other regional states; an internal review and discussion regarding user fees with parks staff in each region of the state; a review of Smith River user fees with the new Smith River State Park Advisory Council (once established).

Once reviews have been completed, staff will work with the Board to evaluate a number of variables relating to differential pricing, yield management, estimated revenue impacts, communication with visitors, etc. It is expected that each Board meeting between now and December will have some discussion of user fees to assure the Board and the public have ample opportunity to become informed and engaged.

Chairman Towe asked who will be presenting fees to the Parks Board in the future and can a committee be formed.

Semler answered he will be presenting information to Parks Board about park fees with assistance from Van Genderen.

Van Genderen stated developing a committee to form an Advisory Group has to go through the Governor's office; want to keep nimble to maintain pace. Parks could hold a formal discussion meeting or outreach during public comment process with key stakeholders like.

Chairman Towe, Vice-Chairwoman Sexton, Director Hagener, and Van Genderen had a lengthy discussion regarding the process of creating an Advisory Council and making sure public can comment on parks fees.

Director Hagener suggested using Citizen Advisory Committee's that are already established in each Region.

Semler stated when a new fee is finalized, the significant impact on field staff is to implement fees include signs, informational kiosk, web postings, printed materials, and training of staff on procedures.

Member Welch asked if the price has to be uniform across all parks or can it vary on location.

Semler stated it is open to considering that option; have to be cautious to have consistency and uniformity to avoid confusion, every option is available and will be discussed.

Vice-Chairwoman Sexton stated in August Parks will present the Board a draft fee recommendation, and interested groups will have opportunity to comment on the draft proposal. Does the Board adopt the rule at that time.

Semler explained no adoption will take place in August; looking for endorsement, corrections or amendment, to the draft; after August meeting a minimum of 30 days of public comment will be sought.

Chairman Towe stated the goal should be, to make sure every citizen in Montana has access to state parks and fees are not too high but at the same time state parks need revenue.

Chairman Towe asked for public comment. No Comments.

8. Proposed Commercial Use Permit Fee Rule

Charlie Sperry, Fishing Access Sight Program and River Recreation Management Staff Lead reported the commercial use administrative rules originally adopted by the FWP Commission in 2006 and amended in 2009, establish the policy and permit requirements for conducting

commercial use on all department land, including fishing access sites (FAS), wildlife management areas (WMA), and state parks; there are two sets of commercial use *fee rules*, one for state parks and another for FAS and WMA. In 2013, the Montana State Parks and Recreation Board was established and the Commission became the Fish and Wildlife Commission. Rather than creating separate sets of commercial use administrative rules, the Department is recommending that the Commission and the Board jointly adopt commercial use rules that would continue to apply to all Department land. FWP evaluated the commercial use administrative rules and is recommending the Commission and the Board propose a number of amendments to the current rules.

Recommendations include:

- Commercial use rules would no longer apply to commercial use within Smith River State Park.
- FAS Permit would only be required at FAS and would no longer be required at state parks that provide access to water.
- Restricted Use Permit would be renamed Commercial Use Permit.
- New rule would list the causes for suspending or revoking a commercial use permit.
- Permit holder would have to donate all proceeds from an activity or event, minus expenses, to qualify for a fee adjustment.

Chairman Towe asked how much is a FAS permit for a year?

Sperry responded permits for a year is \$100.00, daily cost is \$15.00.

Member Smith noted there are additional requirements for permit applications. Is it discretionary or is it required for all permit applications to have a deposit or damage security bond and is workers' compensation added.

Semler responded the permits states when applicable. For larger scale commercial operations and independent contractors, by state law they are required to have a workman's' compensation policy or independent contract exemption; to protect everyone involved, liability insurance is required to protect the State of Montana and Department.

Chairman Towe asked what commercial use permits are required at state parks and is there a fee schedule.

Semler stated any activity or service that meets the definition would be subject to a commercial use permit. The Fee schedule is established in the Commercial Use Fee Rule adopted at the December 2013 Board meeting.

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Chairman Towe and Rebecca Dockter, Chief Legal Council discussed the wording in New Rule I Suspension or Revocation of Permit (3) (a) (b) (c).

Chairman Towe asked for public comment

Robert Cunningham, Fishing Outfitters Association of Montana (FOAM) and Chairman of State Board of Outfitters asked will he be required to offer a damage deposit or security bond for every FAS to use under his permit; the addition to the new rule that lists causes for suspending or revoking a commercial use permit is appreciated.

Sperry responded that outfitters or guides are required to provide a license number and pay a fee, deposit or security bond; will be on a case by case basis, as applicable.

Action: Chairman Towe moved and Member Conradi seconded that the Parks Board propose the amendments to the commercial use administrative rules as recommended by the Department pending proposal by Fish and Wildlife Commission on April 10, 2014. Action on Motion: Motion Carried.

The next meeting will be held June 17 and 18, 2014.	
Motion for adjournment.	
Adjourn at 5:30p.m.	
Tom Towe, Parks Board Chairman	M. Jeff Hagener, Director